

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS and
EDDIE TERRELL PARKER

PLAINTIFFS

V.

CIVIL ACTION NO. 3:23-CV-374-DPJ-ASH

RANKIN COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

ORDER

This case is before the Court on Defendant Sheriff Bryan Bailey's Motion for Leave to Depose Alan Schmidt [101] under Federal Rule of Civil Procedure 30(a)(2)(B). The motion is unopposed.

Federal Rule of Civil Procedure 30(a)(2)(B) states that "[a] party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(1) and (2) . . . if the deponent is confined in prison." Fed. R. Civ. P. 30(a)(2)(B). Alan Schmidt, an individual identified by Plaintiffs as a potential witness related to Bailey's qualified immunity defense, is currently incarcerated at the Rankin County Adult Detention Center. Mot. [101] ¶ 2. The request to depose Schmidt does not exceed the scope or limitations on discovery contemplated in Federal Rule of Civil Procedure 26(b)(1) and (2). This deposition shall remain subject to the limited scope of discovery set by the Court.¹ Order [71]. The Court therefore finds that Bailey's motion should be granted.

Accordingly, the deposition shall proceed on terms agreeable to the detention center. Bailey shall serve a copy of this Order on the Rankin County Adult Detention Center. This order

¹ The Court extended discovery until March 3, 2025. *See* January 31, 2025 Text-Only Order.

does not relieve Bailey of the obligation to properly notice the date, time, and method of recording the deposition as required by Federal Rule of Civil Procedure 30.

SO ORDERED AND ADJUDGED this the 10th day of February, 2025.

s/ Andrew S. Harris

UNITED STATES MAGISTRATE JUDGE